IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

MONDAY, THE 18TH DECEMBER 2006 / 27TH AGRAHAYANA 1928

WP(C).No. 29471 of 2006(H)

PETITIONER:

ANI, AGED 25 YEARS,
S/O.NABEESA BEEVI, BABA SAHIB NAGAR 324(207),
PATHANAPURAM, KARAMOOD VILLAGE, KOLLAM DISTRICT.

BY ADV. SRI.SASTHAMANGALAM S. AJITHKUMAR
SRI.RENJITH B.MARAR
SRI.DILEEP P.PILLAI
SMT.LAKSHMI.N.KAIMAL
SRI.T.K.SUJITH

RESPONDENTS:
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1. SUB INSPECTOR OF POLICE,
KULATHURPUZHA POLICE STATION.

2. CIRCLE INSPECTOR OF POLICE,
KULATHURPUZHA, KOLLAM DISTRICT.

3. MURALEEDHARAN, VIJAYAVILASAM,
BHARATHIPURAM P.O., KULATHURPUZHA.

4. ACHANKUNJU, KIZHAKEDATHU HOUSE,
BHARATHIPURAM P.O., KULATHURPUZHA.

5. SUNIL BABY, MATTAPPILLIL HOUSE,
BHARATHIPURAM P.O., KULATHURPUZHA.

6. SUMATHY, MANILAL BHAVAN,
BHARATHIPURAM P.O., KULATHURPUZHA.

ADDL.R7 AND R8:

7.THE ASSISTANT EXCISE COMMISSIONER,KOLLAM.

8.THE SECRETARY, KOTTUKKAL MURI GRAMA PANCHAYAT, KOLLAM.

ADDL.R7 AND R8 ARE IMPLEADED AS ADDL.R7 AND R8 AS PER ORDER DATED 17.11.2006 IN I.A.16016/2006.

ADDL.R9:

9.THE SECRETARY, KULATHURPUZHA GRAMA PANCHAYAT, KOLLAM.

ADDL.R9 IS IMPLEADED AS PER ORDER DATED 18.12.2006 IN I.A.16995/2006.

BY GOVERNMENT PLEADER P.A.SALIM

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 18/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J.B.KOSHY & K.PADMANABHAN NAIR, JJ.

W.P.(C).NO.29471 OF 2006 (H)

Dated this the 18th day of December, 2006

J U D G M E N T

KOSHY,J.

This is a petition for police protection. A statement was filed on behalf of the 1st respondent stating that even though petitioner started functioning of the toddy shop on 11.10.2006, in view of the obstructions created by respondent 3 to 6 toddy shop was not opened. It is the case of the petitioner that even though there is licence and the shop is located in a non-objectionable area respondents are taking law into their hands. If petitioner has given licence and has no legal objection, it is the duty of the police to see that protection should be given so that toddy shop can be functioned. So long as there is valid licence and no prohibitory orders are issued by the statutory authorities or court, police shall give adequate protection for opening and running the shop. With the above directions this writ petition is disposed of.

J.B.KOSHY, JUDGE

K.PADMANABHAN NAIR, JUDGE

prp

J.B.KOSHY & K.PADMANABHAN NAIR, JJ.

O.P.NO. OF 2006 ()

J U D G M E N T

17th November, 2006